HOUSE BILL No. 1104

—————

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-18.5-2.

Synopsis: Revised Lake County levy limit based on LOIT. Provides that the Lake County assessed value growth quotient for determining a maximum property levy is one unless Lake County imposes a local option income tax for property tax (LOIT) relief for that calendar year. (Current law provides that Lake County's growth quotient is one unless Lake County adopts a LOIT for property tax relief at a rate of 1%.)

Effective: Upon passage.

Smith V

January 5, 2010, read first time and referred to Committee on Ways and Means.

C
o
p
y

Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~
  Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.
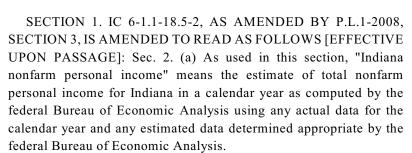 Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1104

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1   SECTION 1. IC 6-1.1-18.5-2, AS AMENDED BY P.L.1-2008,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 2. (a) As used in this section, "Indiana
4 nonfarm personal income" means the estimate of total nonfarm
5 personal income for Indiana in a calendar year as computed by the
6 federal Bureau of Economic Analysis using any actual data for the
7 calendar year and any estimated data determined appropriate by the
8 federal Bureau of Economic Analysis.
9   (b) Subject to subsection (c), for purposes of determining a civil
10 taxing unit's maximum permissible ad valorem property tax levy for an
11 ensuing calendar year, the civil taxing unit shall use the assessed value
12 growth quotient determined in the last STEP of the following STEPS:
13   STEP ONE: For each of the six (6) calendar years immediately
14   preceding the year in which a budget is adopted under
15   IC 6-1.1-17-5 for the ensuing calendar year, divide the Indiana
16   nonfarm personal income for the calendar year by the Indiana
17   nonfarm personal income for the calendar year immediately

1   preceding that calendar year, rounding to the nearest
2   one-thousandth (0.001).
3   STEP TWO: Determine the sum of the STEP ONE results.
4   STEP THREE: Divide the STEP TWO result by six (6), rounding
5   to the nearest one-thousandth (0.001).
6   STEP FOUR: Determine the lesser of the following:
7   (A) The STEP THREE quotient.
8   (B) One and six-hundredths (1.06).
9   (c) This subsection applies only to civil taxing units in Lake County.
10 Notwithstanding any other provision, for property taxes first due and
11 payable after December 31, 2007, the assessed value growth quotient
12 used to determine a civil taxing unit's maximum permissible ad
13 valorem property tax levy under this chapter for a particular calendar
14 year is one (1) unless a tax ~~rate of one percent (1%) will be~~ **is** in effect
15 under IC 6-3.5-1.1-26 or IC 6-3.5-6-32 in Lake County for that
16 calendar year.
17   SECTION 2. **An emergency is declared for this act.**